

104TH CONGRESS
2D SESSION

H. R. 3428

For the relief of certain former spouses of employees of the Federal
Government.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 1996

Mr. OXLEY introduced the following bill; which was referred to the Committee
on Government Reform and Oversight

A BILL

For the relief of certain former spouses of employees of
the Federal Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 **SECTION 1. ELIGIBILITY FOR SURVIVOR ANNUITY BENE-**
4 **FITS.**

5 For the purpose of determining eligibility for survivor
6 annuity benefits for a former spouse under section 8341
7 of title 5, United States Code, an application of any
8 former spouse shall be approved if—
9 (1) the annuitant is deceased;

1 (2) the former spouse was living as of January
2 1, 1992;

6 (4) such application was filed on or after January 1, 1989;

16 (8) the annuitant and the former spouse were
17 divorced prior to September 14, 1978, and after the
18 annuitant retired;

19 (9) neither at the time of the divorce nor at any
20 time thereafter was a joint waiver of survivor annu-
21 ity benefits executed between the annuitant and the
22 former spouse;

23 (10) the divorce decree was silent as to survivor
24 annuity benefits or designated the former spouse to
25 receive survivor annuity benefits;

1 (11) subsequent to the divorce of the annuitant
2 and the former spouse, the annuitant advised the
3 Office of Personnel Management of the divorce;

4 (12) neither annuitant nor the former spouse
5 married any other individual after their divorce from
6 each other;

11 (14) the former spouse has exhausted all judicial
12 remedies up to and including remedies available
13 through the United States Court of Appeals.

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